

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held FEBRUARY 19, 2019**

The Board of Commissioners of the City of Bowling Green, Kentucky met in regular session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 4:30 p.m. on February 19, 2019. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Police Chaplain Mike Holian, and all present recited the Pledge of Allegiance. City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Sue Parrigin, Commissioner Dana Beasley-Brown, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CITY MANAGER

City Manager Jeffery Meisel requested a closed session for the purpose of deliberations on the future acquisition of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired by the City. Motion was made by Denning and seconded by Parrigin to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b). Mayor Wilkerson called for roll call vote.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (1) (b) was approved by unanimous vote.

APPROVAL OF MINUTES

Minutes of Regular Meeting February 5, 2019.

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for review. Motion was made by Parrigin and seconded by Nash to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of February 5, 2019 was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2019 - 2

(Second Reading)

ORDINANCE REZONING REAL ESTATE

**ORDINANCE REZONING TRACTS OF LAND CONTAINING 39.71
ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL), RM-4
(MULTI-FAMILY RESIDENTIAL), GB (GENERAL BUSINESS)
AND HB (HIGHWAY BUSINESS) TO HB (HIGHWAY BUSINESS)
LOCATED AT 0 CAMPBELL LANE, PRESENTLY OWNED BY**

**BALE OF KENTUCKY FAMILY LIMITED PARTNERSHIP WITH
MENARDS, INC. AS CONTRACT VENDEE**

Title and summary of Ordinance No. BG2019 - 2 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for second reading of said Ordinance. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 - 2 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 26

**MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF RANDAL COCHRAN TO THE POSITION OF
PARKS FACILITY MAINTAINER - SENIOR IN THE CEMETERY
DIVISION OF THE PARKS AND RECREATION DEPARTMENT**

Summary of Municipal Order No. 2019 - 26 was read by the City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. Human Resources Director Erin Hulsey reviewed and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 27

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2019-41 FOR AUDITING SERVICES FROM MOUNTJOY
CHILTON MEDLEY CPAS & ADVISORS, LLP OF LOUISVILLE,
KENTUCKY BEGINNING WITH FISCAL YEAR 2018/2019 AND
EXTENDING THROUGH FISCAL YEAR 2022/2023**

Summary of Municipal Order No. 2019 - 27 was read by the City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. Meisel indicated the Audit Committee led the process for issuing a Request for Proposal for external auditing services for the next five (5) years and recommended continuing external audit services with Mountjoy Chilton Medley. He added the bid includes the rotation of an engagement partner the first year and the manager in the second year. Internal Auditor Deborah Jenkins explained rotating the engagement partner and manager aids in preventing complacency and offers different perspectives. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 27 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 28

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2019-44 FOR REHABILITATION TO THE PARKER BENNETT OUTDOOR COURTS AND REPLACEMENT FENCING FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE TOTAL AMOUNT OF \$169,438.51

Summary of Municipal Order No. 2019 - 28 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel reviewed and recommended the repair of the outdoor courts and replacement fencing. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 29

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2019-33 FOR MCLELLAN ROAD WIDENING PROJECT FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$156,499.05

Summary of Municipal Order No. 2019 - 29 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel reviewed the widening project which includes 1,050 linear feet and explained the City received \$45,652.01 in developer contributions to assist with costs. Commissioner Nash suggested some repaving on McLellan close to Greystone Subdivision. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 29 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 30

MUNICIPAL ORDER CORRECTING AN ORIGINAL KRS 81.045 FILING RELATED TO ORDINANCE NO. BG80-43 AND ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE

Summary of Municipal Order No. 2019 - 30 was read by the City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. Meisel explained this item, as well as the next Municipal Order No. 2019-31, are clean-ups related to previously approved annexation descriptions which are considered to be not easily mapped using new technologies, and the Secretary of State recommends the adoption of a modern and accurate legal description. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
Voting Nay: None
Municipal Order No. 2019 - 30 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 31

**MUNICIPAL ORDER CORRECTING AN ORIGINAL KRS 81.045
FILING RELATED TO ORDINANCE NO. BG80-47 AND
ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION
OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

Summary of Municipal Order No. 2019 - 31 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Mayor Wilkerson mentioned this was discussed during the previous municipal order and asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
Voting Nay: None
Municipal Order No. 2019 - 31 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 32

**MUNICIPAL ORDER WAIVING FEES RELATED TO THE USE OF
CIRCUS SQUARE PARK BY SKY SCIENCE FESTIVAL, INC. FOR
THE SKY SCIENCE FESTIVAL ON APRIL 26 AND 27, 2019**

Summary of Municipal Order No. 2019 - 32 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for consideration of said Municipal Order. Meisel reviewed the request to waive the rental fee of Circus Square Park for the third annual SKY Science Festival. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
Voting Nay: None
Municipal Order No. 2019 - 32 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 33

**MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A
GRANT FROM NEW AMERICAN ECONOMY AND WELCOMING
AMERICA THROUGH THE GATEWAYS FOR GROWTH
CHALLENGE GRANT IN THE AMOUNT OF \$12,500**

Summary of Municipal Order No. 2019 - 33 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel recommended the grant award and mentioned this grant will be used to develop a strategic plan to research employment opportunities for New Americans. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
Voting Nay: None
Municipal Order No. 2019 - 33 was approved by unanimous vote.

Prior to the consideration of Ordinance No. BG2019-3, Mayor Bruce Wilkerson excused himself from the discussion and stepped down. Mayor Pro Tem Sue Parrigin presided over the following agenda item.

ORDINANCE NO. BG2019 - 3
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A PORTION OF A TRACT OF LAND CONTAINING 0.23 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 0 CAMPBELL LANE, PRESENTLY OWNED BY SANDRA STEWART, WITH BUCKHEAD KITCHEN & BAR LLP C/O CAITLIN DAVIS AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2019 - 3 was read by the City Clerk. Motion was made by Denning and seconded by Parrigin for first reading of said Ordinance. In response to questions from Commissioner Denning, Planning Commission Executive Director Ben Peterson explained the location of the rezoning which is at the corner of Campbell Lane and Thoroughbred Drive, the ingress and egress plans for the adjoining property, and confirmed the entrance for the new development will be off Thoroughbred Drive about 160 feet off Campbell Lane. Mr. Peterson also confirmed this development did not require a traffic study and the preliminary development plan shows three (3) food trucks will be stationed at this location. Mayor Pro Tem Sue Parrigin asked about the possibilities for the General Business (GB) tract in the future, and Mr. Peterson explained GB could be used for mixed uses such as RM-3 (Multi-Family Residential) and light commercial up to a maximum of 4,000 square feet per the Development Plan Conditions. Additionally, in response to a question about the reason for the Planning Commissions two (2) no votes, it was explained some of the considerations were due to traffic, pedestrian safety and proximity to a school, security and property values. Security lights and cameras were discussed and planned by the developer, as well as established operating hours and not being open later than 9:00 p.m. Commissioner Nash requested clarification on the development complying with majority of the site characteristics review criteria, and Mr. Peterson reviewed some characteristics such as a sink hole encompassing majority of the property, and no other commercial parking lot is found within the corridor, all of which is noted in the staff report. There was further discussion about the definition of compatibility as there are no other parking lots being used for food trucks in the area, and another point to consider was there other locations for this type of development that could have been used without rezoning. Brian Shirley with Arnold Consulting and Engineering Services (ACES) indicated the developer looked at other pieces of property that could be used for food trucks but this was the location of choice and like other communities with these type of food truck areas, it is typical for the food trucks to remain on site majority of the time. It was also confirmed the school system was not consulted about the possible foot traffic, however Mr. Shirley indicated there is a traffic signal with a cross walk, and he advised he did not have an estimate of the traffic impact on the residential area but assumed majority of the traffic would come and go from Campbell Lane. Mr. Peterson verified the Planning Commission notified all property owners by letter that were within a 200 foot area of the site. He also verified the site will be evaluated for the sinkhole during the design phase, how it is common to have a split zone for multi-uses, and the entrance to the property is 160 feet from the intersection of Thoroughbred Drive and Campbell Lane, which follows traffic standards. Public Works Director Greg Meredith responded to a question about the existing driveway entrance as it is a private driveway and Mr.

Peterson stated the property owner declined use to the access driveway. Commissioner Beasley-Brown explained this rezoning made for a difficult decision, but based on the testimony and documents presented at the public hearing on January 17th, she found the proposed zoning map amendment was not compatible with the specific area. Although the request passed the Future Land Use Map (FLUM) test, and meets the goal and objective in Section ED-1 and ED-3 of the Comprehensive Plan as a small business and entrepreneurial endeavor that will diversify the economy, in her opinion it does not pass the compatibility test in Section LU-1.1.3 of the Comprehensive Plan, which requires a rezoning request to be compatible with the existing character and development pattern in the area of Campbell Lane and Thoroughbred Drive corridor. In addition, she believes it does not pass the test in Section LU-2.5.2 and HN-1, which requires a zoning change request to protect the character of the existing neighborhood. Therefore, based on her findings, she believes it to be the best decision for the community to deny this request at this location. Commissioner Beasley-Brown explained she loves the idea, but doesn't think it is compatible with this section of the Campbell Lane corridor. With no further discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Denning and Nash

 Voting Nay: Beasley-Brown

First reading of Ordinance No. BG2019 – 3 was approved by a majority vote.

ORDINANCE NO. BG2019 – 4

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 9.9035 ACRES FROM AG (AGRICULTURE) TO LI (LIGHT INDUSTRIAL) LOCATED AT 0 THREE SPRINGS ROAD, PRESENTLY OWNED BY CHRISTIAN LIFE CENTER, WITH GOLDEN FLOWER, LLC C/O RICHARD FELDMAN AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2019 – 4 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson

 Voting Nay: None

First reading of Ordinance No. BG2019 – 4 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 5

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER TWO TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2019

Title and summary of Ordinance No. BG2019 – 5 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for first reading of said Ordinance. Meisel reviewed and recommended Budget Amendment Number Two. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

(Minutes-Board of Commissioners-February 19, 2019)

ROLL CALL: Voting Yea: Parrigin, Beasley-Brown, Denning, Nash and Wilkerson
 Voting Nay: None
First reading of Ordinance No. BG2019 – 5 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:25 p.m. in closed session pursuant to KRS 61.810 (1) (b) as previously approved.

ADJOURNMENT

Once all discussion concluded and there being no further business to come before the Board of Commissioners, at approximately 5:45 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: March 5, 2019

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson